

Senate File 222 - Introduced

SENATE FILE 222

BY ZAUN

A BILL FOR

1 An Act relating to alternative or complementary medicine,
2 including exemptions from disciplinary action for persons
3 licensed to practice health-related professions and a
4 limitation on available damages in a civil action, and
5 including effective date provisions.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 147.56 **Alternative or complementary**
2 **medical treatment — exemption from discipline.**

3 1. A person licensed by a board under this subtitle shall
4 not be subject to discipline under this chapter or the board's
5 enabling statute based solely on the licensee's recommendation
6 or provision of alternative or complementary medicine to treat
7 a patient, including treatment of persistent Lyme disease, if
8 the recommendation or provision of such treatment meets all of
9 the following criteria, as applicable:

10 a. The treatment is provided after informed consent is
11 received from the patient and a prior examination of the
12 patient is conducted.

13 b. The licensee identifies a medical reason for recommending
14 or providing the use of alternative or complementary medicine
15 to treat the patient.

16 c. The treatment is provided after the licensee informs
17 the patient about the most commonly used treatment options and
18 describes to the patient the licensee's education, experience,
19 and credentials regarding alternative or complementary
20 medicine.

21 d. The treatment will not, in the opinion of the licensee,
22 result in the direct and proximate death of or serious bodily
23 injury to the patient.

24 2. For purposes of this section, "*alternative or*
25 *complementary medicine*" means a medical treatment or practice,
26 other than the most commonly used medical treatment or practice
27 for a particular condition, that provides a reasonable
28 potential for improvement in a patient's condition that is
29 not outweighed by the risk of the treatment or practice.
30 In instances where there has been a documented clinical or
31 laboratory diagnosis of Lyme disease or other tick-borne
32 disease, "*alternative or complementary medicine*" may include but
33 is not limited to administration of oral, intramuscular, or
34 intravenous antibiotics for periods of greater than four weeks.

35 Sec. 2. Section 147.136, Code 2017, is amended by adding the

1 describes to the patient the licensee's education, experience,
2 and credentials regarding alternative or complementary
3 medicine, and the treatment will not, in the opinion of the
4 licensee, result in the direct and proximate death of or
5 serious bodily injury to the patient.

6 The bill provides that damages in a civil action against
7 a licensee relating to the recommendation or provision of
8 alternative or complementary medicine shall not exceed actual
9 damages if the licensee satisfied the provisions of the bill,
10 unless the licensee committed gross negligence or willful
11 misconduct.

12 The bill shall become effective upon enactment.